



US Army Corps
of Engineers

Detroit District

Applicant: Peter Beauregard

In Reply Refer To: Corps File No. LRE-1998-101230-S11
MDNRE File No. 11-50-0003-P

Date: February 28, 2011

Expires: March 21, 2011

**PROPOSED RESTAURANT DECK IN LAKE SAINT CLAIR AT SAINT CLAIR
SHORES, MICHIGAN**

Applicant: Peter Beauregard, 24530 Jefferson Avenue, Saint Clair Shores, MI, 48080.

Project Location: The site is located at a canal end of Lake Saint Clair in the Colony Marine Marina at 24530 Jefferson Avenue, Saint Clair Shores, Macomb County, Michigan, (T1N, R13E, Section 27).

Federal Authority: The applicant has applied for a Department of the Army permit under Section 10 of the Rivers and Harbors Act of 1899.

State Authority: Coastal Zone Management Certification (or waiver thereof) is required from the State of Michigan if this proposed activity would occur within the designated coastal zone.

Project Description: As shown on the attached plans, the applicant proposes to remove eight piers and seventeen pilings in a canal end of Lake Saint Clair. In the same area, the applicant proposes to construct an open pile supported deck waterward of the existing bulkhead, which would consist of two rectangular portions measuring approximately 81 feet by 11 feet and approximately 28 feet by 13 feet. Seven pilings would be installed along the outer perimeter of the deck, and four pilings would be installed adjacent to the deck for boat moorage. The applicant's stated purpose for the proposed work is to provide seating space for a proposed waterfront bar/restaurant.

Other Authorizations: The applicant has either received or requested the following governmental authorizations: An application for a permit was submitted to the Michigan Department of Natural Resources and Environment under the following: Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended, Part 325- Great Lakes Submerged Lands. A local permit was also applied for with the City of Saint Clair Shores.

Comments: We are publishing this notice in compliance with Title 33 Code of Federal Regulations Parts 320-332 and the Michigan statutes listed above. Comments on the project should be submitted in writing and postmarked or delivered by the expiration date of this public notice. Comments of a positive or negative nature may be submitted. All responses must refer to

the Corps file number LRE-1998-101230-S11 and the MDNRE file number 11-50-0003-P. We will interpret a lack of response as meaning that there is no objection to the permit application. Comments should be filed with: Wally Gauthier, Chief, Permit Evaluation Eastern Branch, Regulatory Office, Detroit District, Corps of Engineers, 477 Michigan Avenue, Detroit, Michigan, 48226-2550. Comments may also be e-mailed to: Shawn.S.Sanchez@usace.army.mil, but must include a name and mailing address.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Evaluation: The decision whether to issue the Department of the Army permit will be based on evaluation of the probable impact of the proposed activity on the public interest. These decisions will reflect the national concerns for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Endangered Species: We will review this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. We are not aware of the presence of any listed species or critical habitat at or in the vicinity of the proposed worksite.

Cultural Resources: The District Staff has reviewed existing information on historic properties potentially affected by the proposed project, including the National Register of Historic Places. There are no recorded historic properties within the permit area. The permit area has been so

extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

Additional Information: Questions concerning this application may be directed to Shawn Sanchez at the Corps of Engineers address listed above, or by telephone number at (313) 226-1326.

FOR THE DISTRICT ENGINEER:

Wally Gauthier
Chief, Permit Evaluation Eastern Branch
Regulatory Office

NOTICE TO POSTMASTERS:

We request that the above Public Notice be conspicuously and continuously posted for the time period of this notice.